

Applicant: Southwest Landfill LLC

Agent: Claudine Martinez

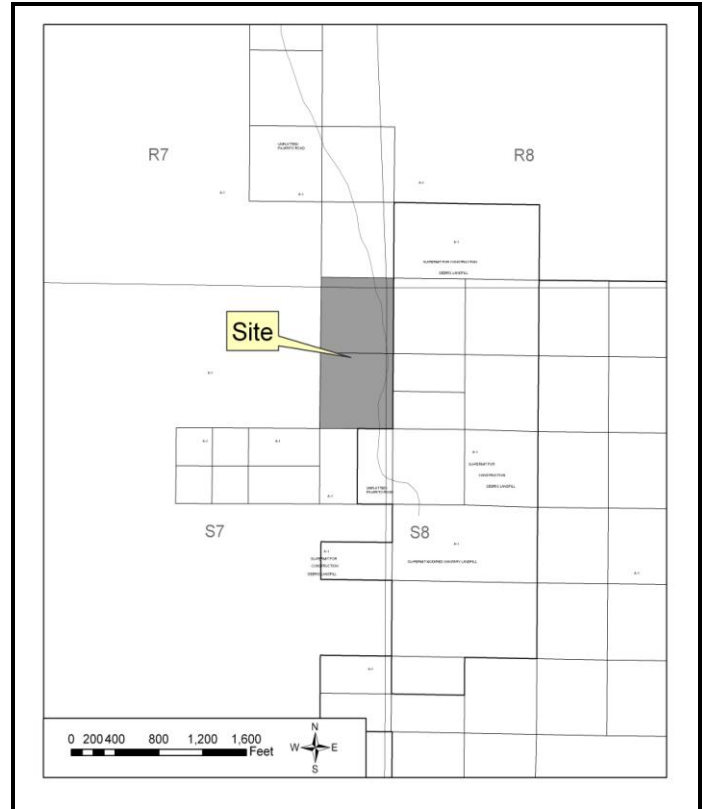
Location: .75 miles (approximately)
from the Escarpment Road
& Pajarito Road
intersection

Property Size: 20 acres (approximately)

Existing Zone: A-1

Proposed Request: Special Use Permit for a
Technical Operation
(transfer station) and office

Recommendation: Approval



Summary: The applicant is requesting a Special Use Permit for a Technical Operation (transfer station) and office on two ten-acre parcels located on the Escarpment Road approximately .75 miles from the Escarpment Road and Pajarito Road intersection.

The site is located in the Reserve Area with a small portion in the Rural Area as designated in the Albuquerque/Bernalillo County Comprehensive Plan and in Residential Area Two (2) of the Southwest Area Plan. This request was deferred from the December 2, 2009 hearing at the request of the applicant.

Staff Planner: Adella Gallegos, Associate Program Planner

Attachments:

1. Application
2. Land Use Map
3. Letters of Support
4. Revised submittals to Application and Response to Resolution 116-86
5. Revised Site Plan dated December 14, 2009 (Commissioners Only)

Bernalillo County Departments and other interested agencies reviewed this application from 12/15/09 to 1/11/10. Agency comments are verbatim and were used in preparation of this report, which begin on page 16.

AGENDA ITEM NO.: 6
County Planning Commission
February 3, 2010

CSU-90035 Claudine Martinez, agent for Southwest Landfill LLC, requests approval of a Special Use Permit for a Technical Operation (transfer station) and office on a tract of land located at the SE ¼ NE ¼ NE ¼ & the NE ¼ NE ¼ NE ¼ of Section 30, T9N R2E, located approximately .75 miles from the Escarpment Road & Pajarito Road intersection, zoned A-1, and containing approximately 20 acres. (S-7)(DEFERRED FROM THE DECEMBER 2, 2009 HEARING)

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding Zoning & Land Uses

Site	Zoning	Land Use
	A-1	Vacant
North	A-1	Vacant
South	A-1 & A-1 with Special Use Permit for a Construction & Debris Landfill	Southwest Landfill and vacant parcel land
East	A-1 with a Special Use Permit for a Construction & Debris Landfill	Southwest Landfill and vacant land
West	A-1 & A-1 with a Special use Permit for a Construction & Debris Landfill	Southwest Landfill and vacant land

BACKGROUND:

The Request

The applicant is requesting a Special Use Permit for a Technical Operation (transfer station) and office located on two ten-acre parcels approximately $\frac{3}{4}$ mile from the Pajarito Road and Escarpment Road intersection. The subject site is vacant. The transfer station would be utilized to remove certain recyclable materials from the incoming waste stream for recycling for the purpose of reducing the amount of waste that would be transferred to a landfill and also providing an alternative (private cost) for waste disposal. The proposed office would be utilized for future administrative purposes.

Request Justification

The applicant contends that, "Changed neighborhood and community conditions have not accounted for an increase in population. With this increased population, increased waste flows. Use of a transfer station in the area will assist in countering illegal dumping by providing an accessible waste facility for the general public that resides on the Pajarito Mesa, and surrounding areas." The applicant further contends that the transfer station would be more advantageous to the community in that it would provide a private cost and time efficient alternative for waste disposal.

Surrounding Land Use and Zoning

The subject site is zoned A-1 and surrounded with A-1 zoning and A-1 zoning with a Special Use Permit for a Construction and Debris Landfill (CSU-30001) which encompasses approximately 140 acres. The subject site is predominately vacant land with the exception of the existing construction and debris landfill which exists to the south, east and west of the subject site.

Just to the west, approximately $\frac{1}{4}$ to $\frac{1}{2}$ mile from the site, exists a number of sparsely developed areas consisting of residential dwellings. On Pajarito Road, just east of the subject site, there are two water projects currently under construction: (1) Pajarito Mesa Water System Improvement Project – domestic well site to service specific Pajarito Mesa area residents; and, (2) South Valley Drinking Water Project, Phase 3 – Reservoir and transmission line (CSU-70008).

The most recent zoning activity in the area were the approvals of three Special Use Permits (1) Special Use Permit for a Public Utility Facility (Water Reservoir) (CSU-70008) approved by the Board of County Commission on April 26, 2008; (2) A Special Use Permit for a Public Facility (Well Site) approved by the Board of County Commissioners on March 20, 2006; and, (3) An amendment to the Special Use Permit to allow expansion of a construction & debris landfill (CSU-30001) approval by the Board of County Commissioners on December 11, 2007. This amendment increased the landfill site from 80 acres to 140 acres. The landfill was first granted a Special Use Permit in 1986 (CSU-86-52).

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

Reserve Area

The site is located in Reserve Area as designated by the Comprehensive Plan. The Goal is to allow opportunity for future development of high quality, mixed use, largely self-sufficient planned communities, bounded by permanent open space, in appropriate outlying areas, and to protect the non-urban metropolitan areas as rural unless such planned communities are developed.

Policy c states, "Development within Reserve Area shall take place either in accordance with an approved planned community master plan (up to three dwelling units per acre), or in accordance with the standards applicable to Rural Areas."

Rural Area

A small portion of the subject site is located in the Rural area of the Albuquerque/Bernalillo County Comprehensive Plan. The principal goal for this area is to maintain the separate identity of rural areas as alternatives to urbanization by guiding development compatible with their open character, natural resources, and traditional settlement patterns."

Policy a states, "Rural Area as shown by a Plan shall generally retain their rural character with development consisting primarily of ranches, farms, and single-family homes on large lots; higher density development may occur at appropriate locations within rural villages or planned communities."

Policy b states, "Development in the Rural Areas shall be compatible with natural resource capacities including water availability and soil capacity, community and regional goals, and shall include trail corridors where appropriate."

Policy g states, "The following policies shall guide industrial and commercial development in Rural Areas:

- . Small-scale, local industries which employ few people and may sell products on the same premises are the most desirable industrial use.
- . Mineral extraction should be discouraged in highly scenic or prime recreational, agricultural or residential areas.
- . Where mineral extraction and industrial development occurs, noise and pollution levels should be regulated and restoration of the land should be required.
- . Neighborhood and/or community-scale rather than regional-scale commercial centers are appropriate for rural areas. Strip commercial development should be discouraged and, instead, commercial development should be clustered at major intersections and within designated mountain and valley villages."

Environmental Protection

Air Quality

The Goal is to improve air quality to safeguard public health and enhance the quality of life.

Policy 1.g states, "Pollution from particulates shall be minimized."

Water Quality

Policy 2.a states, "Minimize the potential for contaminants to enter the community water supply."

Policy 2.c states, "Water quality contamination result from solid waste disposal shall be minimized."

Solid Waste

The Goal is an economical and environmentally sound method of solid waste disposal which utilizes the energy content and material value of municipal solid waste.

Policy 3.a states, Planning and implementation of more efficient and economical methods of solid waste collection shall be continued.

Policy 3.b states, "Encourage solid waste recycling systems which reduce the volume of waste while converting portions of the waste stream to useful products and/or energy."

Policy 3.c states, "Illegal dumping shall be minimized."

Policy 3.d states, "The potential for water and air pollution from regional landfills shall be minimized."

Policy 3.e states, "Landfills shall be designed and engineered in accordance with their ultimate use, improving the land's open space or reuse potential where needed and appropriate."

Policy 3.f states, "Continue development of a program for managing hazardous waste generated by households and conditionally exempt small generators."

Economic Development

The Goal is to achieve steady and diversified economic development balance with other important social, cultural and environmental goals.

Policy 6.a states that, "New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to area of most need."

Policy 6.b states that, "Development of local business enterprises as well as the recruitment of outside firms shall be emphasized."

Policy 6.g states that, "Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel."

Southwest Area Plan (SWAP)

This property is located within Residential Area 2 of the Southwest Area Plan and within Soil Conservation Zone 3 of the Plan.

Policy 1 states, Techniques to ensure water quality and to enhance water conservation shall be established by the appropriate governmental agencies to enforce policies adopted in the Ground-Water Protection Policy and Action Plan and to prevent further groundwater contamination in the Plan area.

Policy 6 states "As development occurs in the Plan area, provisions shall be made to ensure erosion is controlled during and after construction. Runoff and erosion controls shall be developed throughout Soil Conservation Service Zones 3 & 4 to protect Zone 5."

Policy 7 states "Specific land use regulations, with performance and improvement standards, shall be created to protect agricultural lands."

Policy 19 states, "Development in the non-programmed areas where sewer, water and roads do not exit, shall not be approved unless it can demonstrate that it poses "no net" expense to the local government with respect to existing public works, education and transportation infrastructure, as well as basic health, safety and general welfare services.

Policy 29 states "The City and County shall stabilize residential zoning and land use in the Plan area."

- d) Encourage C-2, M-1 and M-2 land uses in the area located south of Woodward and east of Second Street; and the southwest corner of I-40 and Paseo del Volcan, to promote areas of primary development.

Policy 32 states, "The areas located between I-25 and Second Street and the area south of I-40 and west of Paseo del Volcan shall be used as primary employment areas due to their location relative to transportation facilities (rail and highway)."

- a) Prohibit industrial development that is highly consumptive in water use from the area south of I-40 and west of Paseo del Volcan.
- b) Prohibit industrial development on the top edge of the Southwest Mesa.
- c) Require a master site plan for industrial uses (M-1, and M-2 zoning) for sites that encompass the crucial area and are five acres or larger.
- d) The developer shall provide a detailed site plan for industrial uses that incorporates appropriate native drought tolerant plants and trees, in order to achieve a continuous 30 foot landscaped area fronting the main access road.

- e) Require industrial development located in the area south of I-40 and west of Paseo del Volcan to be developed with “no net” cost to local governments for infrastructure and water use as defined in the Planned Communities Criteria.

Policy 33 states "All land uses in the plan area, which are or reflect a M-1 or M-2 land use shall require a detailed site plan and landscape plan, including phasing (if applicable)."

Policy 47 states, "Industrial development shall be in accordance with existing environmental and geological conditions."

- a) Permit industrial economic development where water availability and quality can sustain such industry.
- c) Restrict new industrial development in areas of fragile soil conditions or in geographically unfit area, unless indisputable evidence is presented that the area will not be adversely affected.
- d) Locate industrial development in areas with appropriate road design, drainage and infrastructure conducive to industrial activity.
- e) Limit the scale of industry to an appropriate compatible and sustainable level considering environmental factors such as soil conditions, water availability, air quality, noise and suitable geographical formations.

Policy 48 states, “Industrial development shall benefit Area Plan residents through community reinvestment efforts such as providing employment to local residents, and building an attractive and competitive business atmosphere.

Policy 50 states, “Emphasize job creation and expansion of employment opportunities for the residents of the Southwest Area Plan.

Policy 65 states, “Commercial, industrial and residential development on the Pajarito Mesa shall be discouraged until the forthcoming Pajarito Land Use and Access Study recommendation are completed.

- b) Encourage large-scale commercial and industrial development to be located in other appropriately designated areas within the plan.”

Bernalillo County Zoning Ordinance

Section 18. Special Use Permit Regulations.

B. Such Special Use Permits may authorize on the following uses:

- 24. Public building, public utility facility, power plant, transformer yard, sewerage treatment plant, sanitary solid waste incinerator, construction debris landfill, sanitary landfill and similar technical operations essential to public health and welfare.

Section 19. Landscaping and buffer landscaping regulations:

A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses: R-1, A-1, A-2 and M-H residential uses are exempt.

3. Sites of five acres more:
 - a. There shall be a landscape setback along all streets of no less than 20 feet
 - b. The landscaped setback shall not be counted toward the landscaping required as a result of paving.
 - c. All other requirements (shall be the) same as 1.b.and 1.c.

A (Landscaping and buffer landscaping regulations) states that landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses. For sites of more than five acres the following requirements apply:

Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

- A. A proposed land use change must be found to be consistent with the health, safety, and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans which have been adopted by the County.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 1. There was an error in the original zone map.
 2. Changed neighborhood or community conditions justify a change in land use or
 3. A different use category is more advantageous to the community as articulated in the Comprehensive Plan or other County Master Plan, even though (1) and (2) above do not apply.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. A proposed land use change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the County may be:
 1. denied due to lack of capital funds; or
 2. granted with the implicit understanding that the County is not bound to provide the capital improvements on any special schedule.

H. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.

I. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted land use plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

J. A zone change request which would give a zone different from the surrounding zoning to a strip of land along a street is generally called a "strip zoning." Such a change of zone may be approved only when:

1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone due to traffic or special adverse uses nearby.

ANALYSIS:

Surrounding Land Use and Zoning

The subject site is zoned A-1 and surrounded with A-1 zoning and A-1 zoning with a Special Use Permit for a Construction and Debris Landfill (CSU-30001) which encompasses approximately 140 acres. The subject site is predominately vacant land with the exception of the existing construction and debris landfill that exist to the south, east and west of the site.

Just to the west, approximately ¼ to ½ mile from the site, exists a number of sparsely developed areas consisting of residential dwellings. On Pajarito Road, just east of the subject site, there are two water projects currently under construction: (1) Pajarito Mesa Water System Improvement Project – domestic well site to service specific Pajarito Mesa area residents; and, (2) South Valley Drinking Water Project, Phase 3 – Reservoir and transmission line (CSU-70008).

Plans

The site is located both the Reserve and Rural Areas as designated by the Comprehensive Plan. The Goal of the Reserve Area is to allow opportunity for future development of high quality, mixed use, largely self-sufficient planned communities, bounded by permanent open space, in appropriate outlying areas, and to protect the non-urban metropolitan areas as rural

unless such planned communities are developed. Policy 2.c. calls for development within Reserve Area shall take place either in accordance with an approved planned community master plan (up to three dwelling units per acre), or in accordance with the standards applicable to Rural Areas.

The Rural Area Policy g calls for industrial and commercial development to be small-scale, local industries and/or neighborhood and/or community-scale rather than regional-scale. The Comprehensive Plan, Environmental Protection, Solid Waste goal is to provide economical and environmentally sound methods of solid waste disposal by planning and implementing more efficient and economical methods of solid waste collection, minimizing illegal dumping and developing a program for managing hazardous waste generated by households. This request appears to be facilitate the Comprehensive Plan in that the request is for the construction of a transfer station that would be utilized for the removable of certain recyclable and hazardous waste materials from the incoming waste stream for recycling and proper disposal; thereby, reducing the amount of waste that would be transferred to a landfill, possibly minimizing illegal dumping and also providing an alternative (private cost) for waste disposal.

Southwest Area Plan

Policy 47(d) and (e) recommends that the location of industrial development be located in areas with appropriate road design, drainage and infrastructure conducive to industrial activity and limiting the scale of industry to appropriate compatible and sustainable level given the environmental factors such as soil conditions, water availability, air quality, noise and suitable geologic formations. The existence of the adjoining construction and debris landfill to the east appears to have already provided the road design and infrastructure that would be utilized for the operation of the request.

Site Plan

There are numerous issues that have been raised with the submitted plan layout (Page 1) and the individual Transfer Station and Office Conceptual Plans (Page 2 & 3). Specifically with the proposed roadway alignment, roadway widths, access, traffic circulation and landscaping buffers which have not been clearly identified specifically with Page 1. A request for a replat (SPR-90077) is currently under review which includes the subject site and the proposed realignment of the Escarpment Road as an entrance and a private roadway that runs through the subject site. To date, the sketch plat has been approved, but still needs to finalize the replat request (SPR-90077). Page 2 and 3 has the same issues in addition to parking, landscaping and fencing requirements.

Agency Comments

The Office of Environmental Health has noted that transfer station will be required to register and operate in compliance with NM Environment Department (NMED) Solid Waste Management Regulations.

The Zoning Administrator has noted that the site plan does not appear to be to scale and is difficult to ascertain and suggests that a larger drawing would help ensure compliance with applicable zoning standards. The Zoning Administrator has noted issues with identifying the landscaping buffer requirements along all roadways and portions of the property adjacent

residential zoning, fencing requirements and providing a comprehensive landscaping plan to ascertain the landscaping planting and maintenance requirement are met.

The Public Works Division has noted that the entrance to this property has a proposed right-of-way change (SRP-90077) in which the new alignment of Escarpment Road will be constructed and old alignment of Escarpment Road will be vacated. Further, that a Traffic Scoping Report is required prior to approval. Additionally, the Pubic Works Division notes that a minimum of 30-feet for the widths within the proposed development s would be required.

Analysis Summary

Zoning	
Resolution 116-86	Consistent with Resolution 116-86 in that there exist changed community conditions that have occurred adjacent to the site and that are consistent with this requested land use.
	Consistent with Resolution 116-86 in that the requested land use would be more advantageous to the community by providing a beneficial service to South Valley area residents and, possibly, lessen the continuance of illegal dumping currently occurring in this specific area of the South Valley.
Plans	
Comprehensive Plan	Facilitates the Comprehensive Plan, as articulated in the Environmental Protection , Solid Waste Policies 3.a, 3.b, & 3.c by providing an efficient, economical and environmentally sound method of solid waste collection/disposal, minimizing Illegal dumping and method for managing hazardous waste generated by households
Southwest Area Plan	Inconsistent with Policy 29 that encourages C-2, M-1 and M-2 uses in the area located south of Woodward between I-25 and Second Street and the area south of I-40 west of Paseo Del Volcan.
	Consistent with Policy 47 in that existence of the adjoining construction and debris landfill to the east appears to have already provided the road design and infrastructure that would be utilized for the operation of the requested land use.
Other Requirements	
Environmental Health	Water/waste water sources for employee/customer use
Public Works	Traffic Scoping Report and a minimum of 30-feet for interior roadways.
Site Plan	Access, roadway alignment, traffic circulation, landscaping, parking, and fencing requirements.

Conclusion

Resolution 116-86 establishes policies regarding zone change and Special Use Permit requests. The Resolution states that the applicant must demonstrate that the existing zoning is inappropriate because of an error in the zone map, changed conditions in the neighborhood or community which justifies a change in land use or that a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the BCC.

It appears that this request is consistent with Resolution 116-86 in that there have been changed community conditions by the approval of a Construction and Debris Landfill that exist directly to the east, south and west of the subject site, in addition to the domestic well and water reservoir projects currently under construction.

This request also appears to facilitate the Comprehensive Plan as articulated in the Environmental Protection, Solid Waste policies 3.a, 3.b, & 3.c by providing an efficient, economical and environmentally sound method of solid waste collection/disposal, minimizing illegal dumping and method for managing hazardous waste generated by households. The requested land use is for a transfer station and a future office. The proposed transfer station is to be utilized for the removal of certain recyclable and hazardous waste materials from the incoming waste stream for recycling and proper disposal; thereby, reducing the amount of waste that would be transferred to a landfill, possibly minimizing illegal dumping and also providing an alternative (private cost) for waste disposal.

There has not been any objection to this request, and the applicant has received letters of support from the Pajarito Mesa Neighborhood Association and an adjoining neighbor (Attachment 3).

There are a number of items on the site development plan that will be required to be addressed; those items can be subject to conditions of approval.

ADDITIONAL PLANNING DEPARTMENT COMMENTS (February 3, 2010):

This request was deferred from the December 2, 2009 County Planning Commission hearing at the request of the applicant. The applicant has submitted a revised justification to Resolution 116-86 and a revised site plan.

The revised justification includes the applicant intentions for future development noted in the Project Description (Item H). The future development intentions, emulating the Bernalillo County East Mountain Transfer station, are to efficiently process waste and recyclable materials in the areas indicated on the site plan for future recyclable material areas.

The revised site plan includes the previous submittal of the transfer station an office area footprints, the proposed roadway consistent with the plat submittal (SPR-90077) and future recyclable materials areas. The applicant is requesting a waiver from the landscaping requirement (item I of Project Description) due to the arid, remote location and water accessibility. The applicant has also noted that the required landscaping buffer along the west side of the subject site will be provided upon the occurrence of residential development.

The applicant has met with the Public Works Division with regards to the Grading and Drainage Plan, traffic circulation and paving. A conceptual drainage plan has been approved, a Traffic Scoping Report has been submitted, and the traffic circulation is consistent with the approval of the plat (SPR-90077). The Public Works Division is requiring that the internal 40 foot wide roadway be of a hard surface.

RECOMMENDATION: Approval of CSU-90035 based on the following Findings and Conditions of approval.

Adella Gallegos,
Associate Program Planner

Findings:

1. This is a request for Special Use Permit for a Technical Operation (transfer station) and office on a tract of land located at the SE ¼ NE ¼ NE ¼ & the NE ¼ NE ¼ NE ¼ of Section 30, T9N R2E, located approximately .75 miles from the Escarpment Road & Pajarito Road intersection, zoned A-1, and containing approximately 20 acres.
2. The property is located in the Reserve and Rural Area as designated in the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area Two (2) of the Southwest Area Plan.
3. This request is consistent with Resolution 116-86 in that there have been changed community conditions that have occurred directly adjacent to the subject site on the east, west and south that are consistent with the requested land use by existence and recent approval of the expansion of the adjacent landfill site.
4. This request is consistent with Resolution 116-86, as articulated in the Albuquerque/Bernalillo County Comprehensive Plan, Environmental Protection, Solid Waste Policy 3.a, b. & c., in that this request would be more advantageous to the community by providing an efficient, economical and environmentally sound method of solid waste collection/disposal, recycling, minimize illegal dumping and provide a method for managing hazardous waste generated by households.
5. This request appears to be consistent with the Southwest Area Plan as articulated in Policy 47 in that existence of the adjoining construction and debris landfill to the east appears to have already provided the road design and infrastructure that would be necessary for the operation of the requested land use.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. The applicant shall provide to the Office of Environmental Health proof of registration and approved permits from the New Mexico Environment Department for operation of the transfer station within six months of final Board of County Commissioners approval.
2. The applicant shall disclose to the Office of Environmental Health the method of potable water source and supply for employee and office building use.
3. The applicant shall obtain a Surface Disturbance Permit from the City of Albuquerque Environmental health Department prior to any earthmoving activities involving a parcel $\frac{3}{4}$ of an acre or more. The applicant shall submit a copy of the permit to the Office of Environmental Health and the Zoning Administrator.
4. The applicant shall obtain approvals from the Bernalillo County Fire Department to address fire apparatus, access roads, and availability of water supplies for fire protection.
5. The applicant shall submit a final grading and drainage plan that includes water harvesting and a detailed xeriscape plan to the Public Works Division for review and approval within six months of final Board of County Commissioners approval.
6. Landscaping for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance:
 - a. A twenty foot landscape setback along the interior roadway.
 - b. A six foot landscaping buffer along the west property line to be provided within 120 days of occurrence of residential development.
7. Parking for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance:
 - a. All off-street parking areas must be surfaced with concrete or bituminous materials (asphalt). Gravel parking areas are not acceptable.
 - b. All off-street parking spaces are required to be appropriately marked (striped) to indicate the location of each space.
8. Three copies of the revised site plan with the Conditions of Approval shall be submitted for review and approval by the Zoning Administrator within six months after final approval by the Board of County Commissioners. The site plan shall include the following:
 - a) Identify signage location and provide signage detail in accordance to code requirements.
 - b) Show 40-foot wide apron and length and width at the Escarpment Road entrance consistent with replat SPR-90077.
 - c) Change "30' wide minimum Private Road" to "40' wide minimum Private Road" consistent with replat SPR-90077.
 - d) Roadway is to be of a hard surface (asphalt millings) as required by the Public Works Division.

COUNTY PLANNING COMMISSION

February 3, 2010

CSU-90035

9. The Special Use Permit shall be issued for the life of the use.
10. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
11. The foregoing Conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

BERNALILLO COUNTY DEPARTMENT COMMENTS

Environmental Health:

1. Disclose potable water source / supply for employee use.
2. Portable restrooms are planned for employee and customer use.
3. Transfer station will registered and operate in compliance with NM Environment Department (NMED) Solid Waste Management Regulations.

Fire:

Required access: Fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction.

The required width of a apparatus access road shall not be obstructed in any manner, including parking of vehicles during construction and/or occupancy.

Approved numbers or addresses shall be placed on all new and existing building in such a position as to be plainly visible and legible from the street or road fronting the property and shall contrast with their background. Numerics shall be a minimum of 4 inches in height.

The new construction must meet the requirements of the Bernalillo County Fire Code and the Bernalillo County Fire Marshal's Office.

Approval and/or occupancy pending approved water supplies for fire protection.

Fire hydrants are generally installed according to spacing criteria that varies according to proposed land use. These hydrants may be required to be supplemented with additional hydrants when actual development takes place.

Zoning Administrator:

The proposed use of the property for a transfer station is listed as a specified Special Use (Sec. 18.B.24.), while offices are first listed as permissive in the O-1 zone [Sec. 12.B.2.(11)]. Clarification may be necessary concerning the nature of the "12 x 60 office" as shown on Parcel #1, as if this is used as a dwelling for a watchman/caretaker, it cannot be used as a commercial or industrial unit (i.e., "office"). Additionally, if applicable, "Mobile Home for a Watchman/Caretaker" should be included in the title of the proposal.

LANDSCAPING

Based on the size of each proposed property (10 acres), a landscape setback of at least 20 feet in depth is required along all portions of the property adjacent to a street. The provided landscaping shall consist of a variety of trees, shrubs, and vegetation to create a visually opaque buffer. Additionally, a landscaped setback of at least 6 feet in depth is required along all other property lines.

The need for a solid wall/fence at least 6 feet in height is certainly recommended to provide visual screening of the proposed activity from surrounding properties, as well as ensure

some containment of blowing trash/debris. Elevation drawings of this feature are recommended.

A comprehensive landscaping plan outlining all proposed areas to be covered with mulched materials, proposed planting beds and vegetative ground cover areas is required. The plan is required to indicate the location, size, and species of all existing and proposed trees, shrubs, vegetation and ground cover. Trees must be at least one-and-one-half inches in caliper measured at two feet above grade. One tree is required for each 30 feet of frontage. Shrubs must be at least 5 gallon minimum. A minimum of 75 percent of the landscape buffer areas must be maintained with live planting materials.

Properties located within the unincorporated area of Bernalillo County are subject to applicable county water conservation restrictions. Final approval for all proposed landscaping is subject to review/inspection by the Public Works Division. Any changes to the landscaping as required by the Public Works Division are subject to additional review and approval of the Zoning Administrator, and must be consistent with the standards of the zoning ordinance.

OFF-STREET PARKING

The provided site plan has not been drawn to scale, so pertinent details are difficult to ascertain with the current representation. A larger drawing would help to ensure compliance with applicable zoning standards, specifically conformance with the applicable size requirements for both standard and handicapped parking spaces.

Standard parking spaces are required to be at least 8.5 feet wide by 20 feet in depth; spaces for use by disabled individuals can be 8 feet by 20 feet, but each handicapped space must be adjacent to an access aisle of at least 3 feet wide providing unobstructed access to the building or facilities entrance.

All off-street parking areas must be surfaced with concrete or a bituminous material (asphalt). Gravel parking areas are not acceptable. All off-street parking spaces are required to be appropriately marked (striped) to indicate the location of each space.

The 28,000-sq. ft. office building proposed will necessitate a minimum of 140 off-street parking spaces. Five (5) of those spaces are required to be designated for use by disabled individuals, and one (1) of the five must be "van accessible". Each off-street parking space designated to be used by disabled individuals is required to provide its own conspicuously posted upright sign, either free-standing or wall mounted, showing the international disabled symbol of a wheelchair. Each sign shall be no smaller than 12 by 18 inches. Each sign shall have its lower edge no less than four feet above grade. Barriers are required to prevent free-standing signs from being hit by motor vehicles.

January 15, 2010 Comments:

This matter was deferred by the CPC from their December 2009 hearing; reference previous comments. Revised site plan has been submitted

Outstanding issues:

1. Landscaping

- a. The property is required to provide a landscape setback of at least 20 feet in depth is required along all portions of the property adjacent to a street, including the "private road" as shown on the site plan.
- b. The provided landscaping shall consist of a variety of trees, shrubs, and vegetation to create a visually opaque buffer. Additionally, a landscaped setback of at least 6 feet in depth is required along all other property lines.
- c. The need for a solid wall/fence at least 6 feet in height is certainly recommended to provide visual screening of the proposed activity from surrounding properties, as well as ensure some containment of blowing trash/debris.
- d. A comprehensive landscaping plan outlining all proposed areas to be covered with mulched materials, proposed planting beds and vegetative ground cover areas is required.
 - i. The plan is required to indicate the location, size, and species of all existing and proposed trees, shrubs, vegetation and ground cover.
 - ii. Trees must be at least one-and-one-half inches in caliper measured at two feet above grade. One tree is required for each 30 feet of frontage.
 - iii. Shrubs must be at least 5 gallon minimum.
 - iv. A minimum of 75 percent of the landscape buffer areas must be maintained with live planting materials.

2. Off-Street Parking

- a. All off-street parking areas must be surfaced with concrete or a bituminous material (asphalt). Gravel parking areas are not acceptable.
- b. All off-street parking spaces are required to be appropriately marked (striped) to indicate the location of each space.
- c. Staff has noted revisions/clarification to the recently submitted plan regarding the size of buildings on the site. The amount of proposed spaces (32) will exceed the requirement.
- d. Each off-street parking space designated to be used by disabled individuals is required to provide its own conspicuously posted upright sign, either free-standing or wall mounted, showing the international disabled symbol of a wheelchair. Each sign shall be no smaller than 12 by 18 inches. Each sign shall have its lower edge no less than four feet above grade. Barriers are required to prevent free-standing signs from being hit by motor vehicles.

Zoning Enforcement Manager:

Based on the above comments there is no adverse comments at this time.
there no zoning violations.

Building Department Manager:

1. Will require commercial building permits for all structures.

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Public Works:

DRAN:

November 9, 2009

A conceptual grading and drainage plan (PWDN 90068) acceptable for this application has been submitted. A final grading & drainage plan is required to be submitted within 60 days of approval of this special use.

December 29, 2009:

The final G&D must include provision for passive water harvesting for landscape buffer along west property line.

DRE:

November 9, 2009

Entrance to this property, is a proposed ROW change with the Plat SRP90077, in which the new alignment of Escarpment Road will be constructed by the Owner and at his expense, and the old alignment of Escarpment Road will be vacated with said Plat.

Traffic Scoping Report is required prior to approval.

Private, road shown on site plan, must be hard surfaced and a minimum of 30-feet wide.

Provide adequate turnaround on site for Fire Department and Emergency Services to enter and exit site.

November 16, 2009 & December 17, 2009:

Private, road shown on site plan, must be hard surfaced and a minimum of 30-feet wide.

Provide adequate turnaround on site for Fire Department and Emergency Services to enter and exit site.

Traffic Scoping Report was received and approved.

Special Use Water:

1. What is the intended water source for existing landfill entrance trailer?
 2. What is proposed water source for proposed office building?
 3. Identify location of 500 gallon water tank to be used for landscape irrigation?
 4. What is proposed water source to be used for dust control on unimproved traffic areas (transfer area is shown as greater than 200 x 200, but application mentions only an 80 x 80 paved pad)?
- (ALSO SEE ATTACHED)

Parks & Recreation:

1. The subject properties are located within the proposed SW Ceja Open Space identified in the Major Public Open Space Facility Plan (MPOS) approved by the Bernalillo County Commission in 1999. The SW Ceja is an approximately 1,000' wide corridor from I-40

to the Isleta Pueblo that includes the top of the escarpment and its east-facing slopes. According to the MPOS and the Southwest Area Plan, the purpose of the proposed SW Ceja Open Space is to:

- a) Conserve a unique natural, environmental and geologic features;
 - b) Provide opportunities for outdoor education and environmental recreation;
 - c) Provide a development-free visual western edge for Albuquerque;
 - d) Preserve soils and slopes above and below the escarpment.
2. It is the stated mission of the City of Albuquerque Open Space Division to "acquire and protect the significant natural character of land designated as Major Public Open Space" (page 11 of the MPOS). Bernalillo County Open Space supports this mission and hopes at some time in the future to help acquire and protect major portions of the Southwest Ceja as described in the aforementioned plans.
3. Bernalillo County Open Space does not oppose the proposed transfer station and adjoining offices insofar as they are associated with the landfill operated by Southwest Landfill, LLC. Bernalillo County Open Space requests a condition that the special use permit be attached to the life of landfill and not have an indefinite duration.

Sheriff's: No comments received

COMMENTS FROM OTHER AGENCIES

MRGCOG: MRCOG has no comment on the proposed development.

AMAFCA:

No objection to special use permit request. The property is within the study area of AMAFCA's ongoing "Raymac Dam Drainage Management Plan," which has not been adopted. The Grading & Drainage Plan appears to comply with the assumptions for the drainage runoff from this area.

City Planning Department/Development Services: Reviewed. No comments.

City Open Space: Open Space has no adverse comments.

Municipal Development Dept:

Transp. Planning: No comments received

Transp. Development: No adverse comments.

City Transit: No comments.

ABCWUA/Utility Development Section: No comments received

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City Environmental Health: No comments received

NM Department of Transportation: No comments received

Albuquerque Public School: This will have no adverse impacts on the APS district.

PNM:

1. As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
2. If electric service is necessary for the new development please contact PNM new service delivery.

Gas Co. of NM: No adverse comments.

NEIGHBORHOOD ASSOCIATIONS:

Los Padillas Neighborhood Association

South West Alliance

South Valley Alliance

South Valley Coalition of Neighborhood Associations